

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office June 18, 1973

Returned to applicant for correction _____

Corrected application filed _____

Map filed June 23, 1952 Under 13932

The applicant Ely Municipal Water Dept
of c/o Chilton Engineering 421 Court, County of Elko,
State of Nevada 89801, hereby make s. application for permission to appropriate the public
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
tion; if a copartnership or association, give names of members.) The Ely Municipal Water
Department is a Department of the City of Ely, Nevada

1. The source of the proposed appropriation is Hercules Gap Spring
Name of stream, lake or other source.
2. The amount of water applied for is 1.0 cfs second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet _____ acre-feet
3. The water to be used for Irrigation
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated) 100 acres
 - (b) Stockwater (state number and kinds of animals to be watered) _____
 - (c) Other use (describe fully under "No. 11. Remarks") _____
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____
5. The water is to be diverted from its source at the following point: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T17N, R63E,
MDM, at a point from which the SE corner of said Section 9 bears
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
S 61° 21' E 2598 feet
it should be stated.
6. Place of use Portions of SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, NE $\frac{1}{4}$
Describe by legal subdivision, if on unsurveyed land it should be so stated.
NE $\frac{1}{4}$, Section 16, T 17 N, R 63 E, MDM.
7. Use will begin about January 1 Month and end about December 31 Month, of each year.
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) construct headgate and main diversion
ditch and laterals to irrigate by flooding
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works. \$1,000.00
10. Estimated time required to construct works. completed
11. Remarks The Ely Municipal Water Dept. administers the lease on the
Georgetown Ranch which holds Proof of Appropriation No2273 for
stock water on the same source. This Application is being filed
to prevent loss of water right to these waters in the event #13932
is cancelled. Map filed to support #13932 is made a part hereof.

Applicant Ely Municipal Water Dept.

By s/Mark Chilton - agent

421 Court

Compared dmc/ga lk/cm Elko, Nevada 89801

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before May 9, 1974
Proof of commencement of work shall be filed before June 9, 1974
Work must be prosecuted with reasonable diligence and be completed on or before May 9, 1975
Proof of completion of work shall be filed before June 9, 1975
Application of water to beneficial use shall be made on or before May 9, 1976
Proof of the application of water to beneficial use shall be filed on or before June 9, 1976
Map in support of proof of beneficial use shall be filed on or before June 9, 1976

Commencement of work filed JUN 10 1974 IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD
Completion of work filed JUN 10 1974 State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed my office, this 9th day of November

Cultural map filed

Certificate No. Issued

A.D. 19 73

Recorded Bk. Page

CANCELLED OCT 12 1978

BECAUSE OF FAILURE

State Engineer

OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER